

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME MISSISSIPPI DEPARTMENT OF HUMAN SERVICES		CONTACT PERSON Earl Scales, Esq.	TELEPHONE NUMBER 601-359-4237
ADDRESS 750 NORTH STATE STREET		CITY JACKSON	STATE MS
EMAIL escal@ago.state.ms.us	SUBMIT DATE 10/19/2012	Name or number of rule(s): Mississippi Child Care Payment Program Policy Manual FFY 2013	

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The purpose of this proposed rule is to update and clarify policies of the Mississippi Child Care Payment Program.

Specific legal authority authorizing the promulgation of rule: Section 43-1-2, et. seq. of the MS Code Annotated

List all rules repealed, amended, or suspended by the proposed rule: Mississippi Child Care Payment Program Policy Manual FFY 2012

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <u>X</u> _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <u>X</u> _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Earl Scales, Esq.

Signature of person authorized to file rules: *M. Earl Scales*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> <div style="border: 1px solid black; height: 50px; width: 100%;"></div> Accepted for filing by <u><i>[Signature]</i></u>	<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Department of Human Services	CONTACT PERSON Earl Scales	TELEPHONE NUMBER 601-359-4237
ADDRESS 750 N. State Street	CITY Jackson	STATE MS
EMAIL escal@ago.state.ms.us	ZIP 39202	
DESCRIPTIVE TITLE OF PROPOSED RULE CCDF Policy Manual FFY2013		
Specific Legal Authority Authorizing the promulgation of Rule: Eeo.43-1-2 et. sec.		Reference to Rules repealed, amended or suspended by the Proposed Rule: CCDF Policy Manual FFY 2013

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: DECCD administers the federal Child Care and Development Fund (CCDF), which provides subsidized child care to income-eligible Mississippi parent(s). MDHS now has the ability to process child care certificates utilizing MS eChildcare through new technology.

2. Briefly describe the need for the proposed rule: Mississippi eChildcare is a process that captures the child's time and attendance electronically at the location of care. The benefits of moving to this new system for Providers will include payments being made electronically via direct deposit twice a month, parents being more involved in their child(ren)'s care and the possibility of adding more children to the Child Care Payment Program from the waiting list

3. Estimated Cost of implementing proposed action:
 - a. To the agency
☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive
 - b. To other state or local government entities
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
4. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
 - c. Cost:
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - d. Economic Benefit:
☐ Nothing ☐ Minimal ☐ Moderate ☒ Substantial ☐ Excessive
5. Estimated impact on small businesses:
☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

6. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☒ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than
7. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☒ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
☐ yes ☒ no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule.

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

The data and methodology used to decide on this system was a case study of Louisiana's experiences with the program. Oklahoma was also consulted regarding their experiences and savings with this technology. MDHS used estimates of the system development costs to derive the cost benefit analysis.

MDHS contacted the State of Louisiana to discuss their experience surrounding the implementation and operation of their biometric system (LA TOTS). This discussion led to knowledge of their improvements in outcomes, processes and payments to providers. The MDHS conducted a six month investigation to determine how a similar system would benefit the CCPP and its participants (i.e., families; children; providers; etc.).

In addition, MDHS participated in web-based meetings with the State Administrator and Policy Director in Oklahoma to glean information about lessons learned from implementing this technology in their state. Oklahoma was able to implement a similar program with great success and little adjustment to policy. Mississippi has elected to adopt a similar policy process.

The MDHS decided to automate the existing paper-based CCPP attendance tracking and payment distribution processes by leveraging the Agency's current Electronic Benefit Transfer (EBT) contract's Electronic Child Care (ECC) option. The attendance tracking automation will include the use of biometric finger imaging technology at licensed providers (child care centers) and Interactive Voice Response (IVR) technology at unlicensed in-home providers to authorize child care attendance. In addition, the payment distribution process will be totally electronic with providers receiving deposits into their business bank account (i.e., via an Automated Clearing House (ACH) deposit transaction) twice monthly.

The ECC automation, known as the Mississippi eChildcare System, will allow the DECCD to consolidate the CCPP, reduce improper payments, reduce fraud, improve overall efficiency and increase the number of children being served. As an expected outcome, DECCD is estimating a 40-45% savings in overall administrative cost due to automation efficiencies (~\$1.6M - \$2.2M

annually) along with a 25-30% savings in overall child care cost due to the elimination of false attendance claims by child care providers (~ \$15M - \$18M annually). The DECCD plans to use the savings to serve more children (estimated to be an additional 7,000 to 9,000 children), by reducing the current waiting list of children in need of assistance.

D. Public Notice

1. Where may someone obtain copies of the full text of the economic impact statement?

www.childcareinfo.ms

2. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided?

SIGNATURE	<i>M. Earl Scales</i>	TITLE	Asst. Attorney General
DATE	10/19/12	PROPOSED EFFECTIVE DATE OF RULE	2/1/13